



U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East
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June 25, 2018

Via Email

Joshua B. Picker, Esq.
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Re: *Kelley Amadei, et al. v. Kristjen Nielsen, et al.*
Case No. 17-CV-5967 (E.D.N.Y.) (Garaufis, J.) (Scanlon, M.J.)

Dear Mr. Picker:

We received your June 19, 2018 letter in response to Defendants' June 14, 2018 letter, which listed eight (8) U.S. Customs and Border Protection ("CBP") custodians that CBP has identified thus far as potentially having non-privileged documents responsive to Plaintiffs' Request for Production No. 16. Defendants are searching, or have searched, documents from these eight (8) custodians named in Defendants' June 14, 2018 letter.

On May 1, 2018, Judge Scanlon ruled that fact discovery shall be specifically limited to those non-privileged responsive documents related to the alleged incident at JFK Airport on February 22, 2017. Defendants are fully aware of this ruling and the fact that an appropriate custodian may be identified outside of JFK Airport. However, Defendants have listed and will only list custodians that may have non-privileged responsive documents related to the alleged incident at JFK Airport on February 22, 2017.

CBP has reserved, and continues to reserve, the right to supplement the aforementioned list of custodians as additional CBP documents are collected and reviewed. CBP reiterates that it will produce non-privileged responsive documents on a rolling basis.

Sincerely,

RICHARD P. DONOGUE
United States Attorney

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